

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

FRANCISCO JAVIER ACEVES,

Defendant.

No. CR-07-2021-EFS-6

**ORDER ENTERING COURT'S ORAL
RULINGS FROM AUGUST 15, 2008
SENTENCING HEARING**

A sentencing hearing occurred in the above-captioned matter on August 15, 2008, in Yakima. Defendant Francisco Javier Aceves was present, represented by Salvador Mendoza. Assistant United States Attorney James P. Hagarty appeared on behalf of the Government. Before the Court was the Government's oral motion to dismiss the Indictment based on Defendant's guilty plea and subsequent sentencing to an Information Superseding Indictment. (Ct. Rec. 194.) Leave of Court is given to dismiss the Indictment (Ct. Rec. 1); the Court, however, makes no judgment as to the merit or wisdom of this dismissal.

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. The Government's oral motion to dismiss the Indictment is
3 **GRANTED.**

4 2. The Indictment (**Ct. Rec. 1**) shall be **DISMISSED WITH PREJUDICE.**

5 3. All pending motions are **DENIED AS MOOT.**

6 **IT IS SO ORDERED.** The District Court Executive is hereby directed
7 to enter this Order and furnish copies to counsel and the United States
8 Probation Office.

9 DATED this 18th day of August, 2008.

10
11 s/Edward F. Shea
12 EDWARD F. SHEA
United States District Judge

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